

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**OAKLEA PHILLIPS, VONDA SILER
and B.L. LEWIS, III, Heirs at Law of
B.L. Lewis**

Plaintiffs

V.

**MSM, INC., D/B/A/ MERCURY
COMMUNICATIONS COMPANY,
MSO, INC., DAVID BAILEY, E. B.
MARTIN, Jr., JAMES A. MURRELL, III,
WILLIAM M. MOUNGER, II,
ROBERT G. MOUNGER,
WERT A. YEAGER, III, AND
WILLIAM M. YANDELL, III**

Defendants

Civil Action 3:12 CV 175 DPS-FKB

APPLICATION FOR ADMISSION PRO HAC VICE

(A) Name: David J. Potter

Firm Name: David J. Potter and Associates

Office Address: 901 North State Line Avenue

City: Texarkana State TX Zip 71854

Telephone: (903) 794-2283 Fax: (903) 792-6553

E-Mail: dpotter@potter-law.com

(B) Client(s): Oaklea Phillips, Vonda Siler and B.L. Lewis, III, heirs at law of B.L. Lewis

Address: Vonda Siler: 509East Franklin Street

City: Siloam Springs State AR Zip 72761

Telephone : (479) 236-4286 Fax: (479) 521-6761

Address: Oaklea Phillips: 117 Allen Cove

City: Marion State AR Zip 72369

Telephone : (870) 739-1967 Fax: N/A

Address: B.L. Lewis, III: P.O. Box 5486

City: Katy State TX Zip 77491

Telephone : (281) 398-0004 Fax: (281) 398- 0007

FORM 6 (ND/SD Miss. DEC. 2010)

The following information is optional:

Has Applicant had a prior or continuing representation in other matters of one or more of the clients Applicant proposes to represent and is there a relationship between those other matter(s) and the proceeding for which Applicant seeks admission?

RESPONSE: Applicant has represented the B.L. Lewis, now deceased, and as result of the judgement obtained in that representation, now represents the plaintiffs as the heirs at law of B.L. Lewis and now represents them for the purpose of collecting that judgement. There has been representation by the applicant of the parties in this case in other litigation in the federal court in the state of Arkansas, the judgement of which was registered in this court.

Does Applicant have any special experience, expertise, or other factor that Applicant believes makes it particularly desirable that Applicant be permitted to represent the client(s) Applicant proposes to represent in this case?

RESPONSE: Applicant has personal knowledge of the facts and history of this case and of the parties. The historical facts of this case as relevant to this litigation are complex and the undersigned applicant is best suited to pursue this matter.

(C) Applicant is admitted to practice in the:

 X State of Arkansas

 X State of Texas

 X Federal Eastern and Western Districts of Arkansas

 X Federal Northern and Eastern Districts of Texas

 X 4th Circuit Court of Appeals

 X 8th Circuit Court of Appeals

 X United States Supreme Court

and is currently in good standing with that Court. A certificate to that effect, issued within ninety days of the date of this Application, is enclosed; the physical address, telephone number and website/email address for that admitting Court are:

United States District for the Eastern and Western Districts of Arkansas, 600 West Capital
Avenue, Suite A-149, Little Rock, AR 72201-3325; Phone: (870) 773-3381;

Email: tex_info@arwd.uscourts.gov

FORM 6 (ND/SD Miss. DEC. 2010)

All other courts before which Applicant has been admitted to practice:

Jurisdiction	Period of Admission
State of Arkansas	April 8, 1970 - Present
State of Texas	May 18, 1970 - Present
United States District for the Northern District	
of Texas	August 13, 1971 - Present
Eastern District of Texas	October 12, 1970 - Present
Western District of Arkansas	July 16, 1970 - Present
United States Court of Appeals for the	
8th Circuit	January 15, 1981 - Present
United States Court of Appeals for the	
5th Circuit	August 12, 1987 - Present
United States Supreme Court	August 1, 1978 - Present

- | | Yes | No |
|--|--------------------------|----|
| (D) Has Applicant been denied admission pro hac vice in this state? | <input type="checkbox"/> | X |
| Has Applicant had admission pro hac vice revoked in this state? | <input type="checkbox"/> | X |
| Has Applicant been formally disciplined or sanctioned by any court in this state in the last five years? | <input type="checkbox"/> | X |

If the answer was "yes," describe, as to each such proceeding, the nature of the allegations, the name of the person or authority bringing such proceedings; the dates the proceedings were initiated and finally concluded; the style of the proceedings; and the findings made and actions taken in connection with those proceedings:

- | | Yes | No |
|---|--------------------------|----|
| (E) Has any formal, written disciplinary proceeding ever been brought against Applicant by a disciplinary authority in any other jurisdiction within the last five years? | <input type="checkbox"/> | X |

FORM 6 (ND/SD Miss. DEC. 2010)

If the answer was "yes," describe, as to each such proceeding, the nature of the allegations; the name of the person or authority bringing such proceedings; the date the proceedings were initiated and finally concluded; the style of the proceedings; and the findings made and actions taken in connection with those proceedings.

	Yes	No
(F) Has Applicant been formally held in contempt or otherwise sanctioned by any court in a written order in the last five years f for disobeying its rules or orders?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer was "yes," describe, as to each such order, the nature of the allegations, the name of the court before which such proceedings were conducted; the date of the contempt order or sanction, the caption of the proceedings, and the substances of the court's rulings (a copy of the written order or transcript of the oral rulings must be attached to the application).

(G) Please identify each proceeding in which Applicant has filed an application to proceed pro hac vice in this state within the preceding two years, as follows:

Name and Address of Court	Date of Application	Outcome of Application
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N/A

(H) Please identify each case in which Applicant has appeared as counsel pro hac vice in this state within the immediately preceding twelve months, is presently appearing as counsel pro hac vice, or has pending applications for admission to appear pro hac vice, as follows:

Name and Address of Court	Style of Case
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N/A

Forms 6 (ND/SD Miss. DEC. 2010)

Yes

No

(I) Has Applicant read and become familiar with all the LOCAL
RULES OF THE UNITED STATES DISTRICT COURTS FOR THE
NORTHERN AND SOUTHERN DISTRICTS OF MISSISSIPPI? X yes ☐

Has Applicant read and become familiar with the
MISSISSIPPI RULES OF PROFESSIONAL CONDUCT? X yes ☐

(J) Please provide the following information about the resident attorney who has been
associated for this case:

Name and Bar No: Sam M. Brand, Jr. MSB No. 4310

Firm Name: Sam M. Brand

Office Address: 1600 South Congress Street, Suite 1334
P.O. Box 24296

City: Jackson State MS Zip 39225

Telephone: (601) 949-7575 Fax: (601) 949-7574

E-Mail: sambrand@sbrandlaw.com

(K) The undersigned resident attorney certifies that he/she agrees to the association with
Applicant in this matter and to the appearance as attorney of record with Applicant.

Sam M. Brand

Resident Attorney

I certify that the information provided in this Application is true and correct.

3/12/12

Date

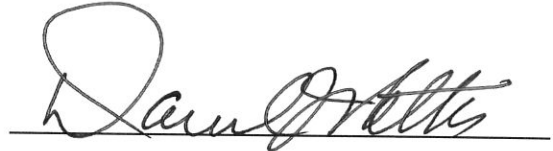
Sam M. Brand

Applicant's Signature

CERTIFICATE OF SERVICE

The undersigned Applicant certifies that a copy of this Application for Admission Pro Hac Vice has been mailed or otherwise served on this date on all parties who have appeared in this case.

This the 12th day of March, 2012.

A handwritten signature in black ink, appearing to read "D. Am. Ortelis", written over a horizontal line.

Applicant